

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (WCC) (LMS)

**NOTICE OF TAXATION
OF COSTS**

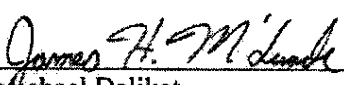
Please take notice that the within Bill of Costs, along with the within Declaration of James H. McQuade dated March 21, 2008, and all of the exhibits attached thereto, will be presented to the judgment clerk for the United States District Court, Southern District of New York, at the U.S. Courthouse, 300 Quarropas Street, White Plains, New York at 12 p.m. on April 11, 2008, for signature.

Dated: New York, New York
March 21, 2008

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By:


Michael Delikat
James H. McQuade
Heather A. Glatter

666 Fifth Avenue
New York, New York 10103-0001
Telephone: (212) 506-5000

Attorneys for Defendants Wyeth Pharmaceuticals, Inc.,
Walter Wardrop, and Michael McDermott

*AO 133 (Rev. 8/06) Bill of Costs

UNITED STATES DISTRICT COURT

Southern District of New York

HOWARD HENRY,

BILL OF COSTS

V.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT

Case Number: 05-CV-8106 (WCC) (LMS)

Judgment having been entered in the above entitled action on 3/7/2008 against Plaintiff Howard Henry,
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$	
Fees for service of summons and subpoena		975.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case		2,401.45
Fees and disbursements for printing		
Fees for witnesses (itemize on page two)		6,153.55
Fees for exemplification and copies of papers necessarily obtained for use in the case		
Docket fees under 28 U.S.C. 1923		
Costs as shown on Mandate of Court of Appeals		
Compensation of court-appointed experts		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
Other costs (please itemize)		
TOTAL	\$	9,530.00

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☒ Electronic service by e-mail as set forth below and/or.
☒ Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: James H. McQuadeName of Attorney: James H. McQuadeFor: Defendants Wyeth Pharmaceuticals, Inc., Walter Wardrop, & Michael McDermottDate: 3/24/2008

Name of Claiming Party

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

40 133

(Rev. 8/06) Bill of Costs

UNITED STATES DISTRICT COURT

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Andrew Schaschl, Ireland			1	213.00		4,423.	\$4,636.63
Andrew Espejo, Puerto Rico			2	179.76		1,337.	\$1,516.92
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					TOTAL		\$6,153.55

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

Michael Delikat
James H. McQuade
Heather Glatter
ORRICK, HERRINGTON & SUTCLIFFE LLP
666 Fifth Avenue
New York, New York 10103
Telephone: (212) 506-5000

Attorneys for Defendants Wyeth Pharmaceuticals,
a Division of Wyeth, Walter Wardrop, and
Michael McDermott

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (WCC) (LMS)

**DECLARATION OF
JAMES H. MCQUADE
IN SUPPORT OF
BILL OF COSTS**

I, James H. McQuade, declare:

1. I am an attorney admitted to practice before this Court and represent Orrick, Herrington & Sutcliffe LLP ("Orrick"), counsel for Defendants Wyeth Pharmaceuticals, Inc. ("Wyeth"), Walter Wardrop and Michael McDermott (together, "Defendants") in the above-entitled action. I submit this Declaration in support of Defendants' request to tax costs. I make this declaration based upon my own personal knowledge and upon the business records of Orrick.

2. Attached hereto as Exhibit A is a list itemizing the costs that were necessarily incurred in this case and that are allowable by law.

3. This action was commenced on or about September 20, 2005, in the United States District Court for the Southern District of New York.

4. On June 22, 2006, Defendants took the deposition of Plaintiff Howard Henry. Legalink, Inc. provided the court reporter for this deposition. Legalink, Inc. charged Orrick \$1,488.30 for the original and one copy of Plaintiff's deposition transcript. Attached hereto as Exhibit B is a true and correct copy of Legalink, Inc.'s invoice dated June 22, 2006 setting forth this cost. Orrick paid Legalink, Inc. \$2,152.10, which includes the \$1,488.30 for the original and one copy of Plaintiff's deposition transcript, to satisfy this bill. In turn, Wyeth reimbursed Orrick \$2,152.10, including the costs of the deposition transcripts (\$1,488.30).

5. On July 25, 2006, Plaintiff took the depositions of Defendants Michael McDermott and Walter Wardrop as well as the depositions of Wyeth employees Peter T. Bigelow and Joanne Rose. Veritext provided the court reporter for these depositions and charged Orrick a total of \$913.15 for one copy of each of these deposition transcripts. Attached hereto as Exhibit C is a true and correct copy of an invoice of Veritext dated August 16, 2006 setting forth these costs. Orrick paid Veritext \$931.15, which includes the \$913.15 for one copy of each of these deposition transcripts, to satisfy this bill. In turn, Wyeth reimbursed Orrick \$931.15, including for the costs of the deposition transcripts (\$913.15).

6. On December 4, 2006, Defendants filed a motion for summary judgment. In support of its motion for summary judgment, Defendants submitted to the Court excerpts of the deposition transcripts of Plaintiff Howard Henry, Defendants Walter Wardrop and Michael McDermott, and Wyeth employees Peter Bigelow and Joanne Rose. On July 26, 2007, the Court granted Defendants' motion for summary judgment with respect to two of Plaintiff's promotion discrimination claims and denied the motion for summary judgment with respect to all other

claims. Because the Court used the transcript of the depositions of Plaintiff Howard Henry, Defendants Walter Wardrop and Michael McDermott, and Wyeth employees Peter Bigelow and Joanne Rose in ruling on Defendants' motion for summary judgment, Defendants are entitled to the costs of Plaintiff's deposition transcript, Exhibit B, and the deposition transcripts for Wardrop, McDermott, Bigelow, and Rose, Exhibit C, pursuant to Rule 54.1(c)(2) of the Local Civil Rules of the United States District Court for the Southern District of New York.

7. On or around February 12, 2008, Defendant served a subpoena in this action on Steven J. Levy, Ph.D. in Nanuet, New York. Plaintiff admitted that he had sought counseling from Dr. Levy in his Response to Defendants' First Set of Interrogatories dated April 21, 2006. In connection with Plaintiff's claim for emotional distress damages, Defendants subpoenaed Dr. Levy to testify at trial on February 13, 2008 about his counseling of Plaintiff and to produce any and all records relating to Plaintiff's medical file. Legal Retrieval Services, Inc. served the subpoena on Dr. Levy and charged Orrick \$975.00. Attached hereto as Exhibit D is a true and correct copy of Legal Retrieval Services, Inc.'s invoice dated February 13, 2008 setting forth this cost. Orrick paid Legal Retrieval Services, Inc. \$975.00 to satisfy this bill, and Orrick has billed Wyeth for this amount of \$975. Defendants are entitled to the costs for the service of this subpoena pursuant to Rule 54.1(c)(10) of the Local Civil Rules of the United States District Court for the Southern District of New York.

8. Trial in this matter occurred from January 28, 2008 to February 15, 2008 before the Honorable William J. Conner of the United States District Court for the Southern District of New York in White Plains.

9. On February 7, 2008, Andrew Schaschl, a non-party witness who resides in Ireland, testified at trial. Mr. Schaschl was originally named as a Defendant, but was dismissed

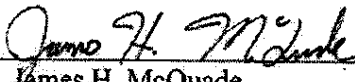
by Order of the Court on February 8, 2006. Mr. Schaschl testified at the trial as a non-party witness. Because Mr. Schaschl resides in Ireland, it was not practical for him to return to his residence from day to day. Mr. Schaschl incurred mileage and subsistence costs totaling \$4,636.63. Attached hereto as Exhibit E are true and correct copies of the invoices for Mr. Schaschl's mileage including roundtrip flight from Ireland, rental car, gas, and parking. Notably, Mr. Schaschl's roundtrip flight from Ireland cost €2678.20, which converts to \$3974.72 based on the conversion rate on the invoice date, January 31, 2008. Mr. Schaschl's parking cost €47.50, which converts to \$68.90 based on the conversion rate on the invoice date, February 11, 2008. Also attached are true and correct copies of the invoices for Mr. Schaschl's subsistence costs capped per diem at \$213.00 pursuant to 28 U.S.C. § 1821. I understand that Mr. Schaschl paid these costs and that Wyeth, in turn, reimbursed Mr. Schaschl. Defendants are entitled to costs for this witness' mileage and subsistence pursuant to Rule 54.1(c)(3) of the Local Civil Rules of the United States District Court for the Southern District of New York.

10. On February 11, 2008, Andrew Espejo, a non-party witness who resides in Puerto Rico, testified at trial. Because Mr. Espejo resides in Puerto Rico, it was not practical for him to return to his residence from day to day. Mr. Espejo incurred mileage and subsistence costs totaling \$1,516.92. Attached hereto as Exhibit H are true and correct copies of the invoices for Mr. Espejo's roundtrip flight from Puerto Rico, rental car, tolls, and parking. Also attached are true and correct copies of the invoices for Mr. Espejo's subsistence costs capped per diem at \$173.00 pursuant to 28 U.S.C. § 1821. I understand that Mr. Espejo paid these costs and that Wyeth, in turn, reimbursed Mr. Espejo. Defendants are entitled to costs for this witness' mileage and subsistence pursuant to Rule 54.1(c)(3) of the Local Civil Rules of the United States District Court for the Southern District of New York.

11. All of the costs mentioned in this Declaration and listed in Defendants' Bill of Costs are allowable by law, are correctly stated, and were necessarily incurred.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2008 at New York, New York.



James H. McQuade

EXHIBIT A

ITEMIZATION OF COSTS

1.	Fees of the Court Reporter for Deposition Transcript of Plaintiff Howard Henry (Exhibit B)	\$ 1,488.30
2.	Fees of the Court Reporter for Deposition Transcripts of Michael McDermott, Walter Wardop, Peter Bigelow, and Joanne Rose (Exhibit C)	\$ 913.15
3.	Fees for Service of Summons and Subpoena (Exhibit D)	\$ 975.00
4.	Fees for Witnesses (Exhibits E and F)	\$ 6,153.55
	TOTAL	\$9,530.00

EXHIBIT B

LEGALINK, INC.**MERRILL LEGAL SOLUTIONS**25 W 45th Street, Suite 900
New York, New York 10036Phone: (212) 557-7400
Fax: (212) 692-9171

James H. McQuade, Esq.
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
23rd floor
New York, NY 10103-0001

INVOICE

INVOICE NO.	INVOICE DATE	JOB NUMBER
18056958	06/22/2006	1801-77220
JOB DATE	REPORTER(S)	CASE NUMBER
06/12/2006	SCHOGA	05CV8106
CASE CAPTION		
(Wyeth) Howard Henry vs. Wyeth Pharmaceuticals, Inc.		
TERMS		
Immediate, sold FOB Merrill facility		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Howard A. Henry	363 Pages @	4.10/Page	1,489.30
EXHIBITS	258 Pages @	.10/Page	25.80
ATTENDANCE			108.00
Interactive RealTime	330.00 Pages @	1.50/Page	495.00
RT Connection Fee (LLT)			n/c
Delivery Local - Regular			35.00
TOTAL DUE >>>>			2,152.10

Wyeth Matter Number# : 20051363

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Newark, NJ 07189-4781

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James H. McQuade, Esq.
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
23rd floor
New York, NY 10103-0001

Invoice No.: 18056958
Date : 06/22/2006
TOTAL DUE : 2,152.10

Job No. : 1801-77220
Case No. : 05CV8106
(Wyeth) Howard Henry vs. Wyeth Pharm

Remit To: LegalLink, Inc.
PO Box 277951
Atlanta, GA 30384

EXHIBIT C

FEB-28-2008 11:43 FROM:

ONS INFO- Fax Received: 02/28/2008 11:56AM * Pg 1/1

TO: 912125065151

P.1/1

Veritext New York Reporting Co.,
A Veritext Company1350 Broadway, Suite 1407
New York, NY 10018
Tel (212) 267-6668
Fax (212) 608-1516200 Old Country Road, Suite 580
Mineola, NY 11501
Tel (516) 608-2400
Fax (516) 608-2450Bill To: James H McQuade Esq
Ornick Herrington & Sutcliffe Esqs
666 Fifth Ave Fir 2
New York, NY 10103To: Chris Rantz
Fax No: 212-506-5151 Invoice #:
From: 965 Invoice Date:
Date: 2/28/08 Balance Due:NY128417
08/16/2008
\$0.00

Case: Henry, Howard v. Wyeth Pharmaceutical			
Job #: 122718 Job Date: 7/25/2006 Delivery: Normal			
Billing Arty: James H McQuade Esq			
Location: Ornick Herrington 666 5th Ave 23rd Floor New York, NY			

Item	Witness	Description	Units	Qty.	Price	Amount
1	Peter T. Sigelow	Transcript - copy	Page	58.00	\$3.15	\$182.70
2	Michael McDermott	Transcript - copy	Page	76.00	\$3.16	\$239.40
3	Joanne Rose	Transcript - copy	Page	62.00	\$3.15	\$195.30
4	Walter Wardrop	Transcript - copy	Page	05.00	\$3.15	\$287.75
5		Transcripts/Exhibits (if applicable) on CD		1.00	\$28.00	\$28.00
6		Shipping & handling	Package	1.00	\$16.00	\$16.00

Notes:		Invoice Total: \$931.15	
		Payment: (\$931.15)	
		Credits:	
		Interest: \$0.00	
		Balance Due: \$0.00	

Fed Tax ID: 20-3132569	Term: Net 30
------------------------	--------------

TERMS: Payable upon receipt. Accounts 30 days past due will bear a finance charge of 1.5% per month. Accounts unpaid after 90 days agree to pay all collection costs including reasonable attorney's fees. Contact us to correct payment errors. No adjustments or refunds will be made after 90 days.

THIS INVOICE IS 561 DAYS PAST DUE, PLEASE REMIT - THANK YOU

Make check payable to Veritext New York Reporting Co.

☐ Visa ☐ MC ☐ Amex ☐ Discover

Credit Card # _____ Exp. Date _____

(Signature of Cardholder)

(Signature of Veritext Representative)

Invoice #: NY128417
Job #: 122718
Invoice Date: 08/16/2006
Balance: \$0.00Please remit payment to:
Veritext New York Reporting Co.,
200 Old Country Road, Suite 580
Mineola, NY 11501

EXHIBIT D

LEGAL RETRIEVAL SERVICES, INC.

1650 Broadway, Suite 1010

New York NY 10019

(Tel) (212)-956-2222

(Fax) (212)-956-3016

Orrick Herrington & Sutcliffe, LLP

666 Fifth Ave. (23 FL.)

New York NY 10103-0001

ATTN: Thomas Backiel



Client ID: Orrick

Date: February 13, 2008

Invoice#: 20994

Amount

k8

1/30/08 Service of Supoena upon Steven J. Levy, Ph.D @ 115 East Allison Avenue -
Nanuet, New York

750.00

Attempt #1 - 1/31/08 9 a.m. - 12 p.m.

Attempt #2 - 2/1/08

Attempt #3 - 2/12/08 SERVED

Howard Henry vs. Wyeth Pharmaceutical, Inc.

Case # 05CV-8102

Called in by Tom Backiel

SUBTOTAL:



[750.00]

Service Fee Sub-Total

\$750.00

Hrs/Rate

k8

1/30/08 Research Time/ Stake out time to perform a Service of Supoena upon
Steven J. Levy, Ph.D @ 115 East Allison Avenue - Nanuet, New York

3.00

225.00

Attempt #1 - 1/31/08 9 a.m. - 12 p.m.

75.00/hr

Attempt #2 - 2/1/08

Attempt #3 - 2/12/08 SERVED

Howard Henry vs. Wyeth Pharmaceutical, Inc.

Case # 05CV-8102

Called in by Tom Backiel

SUBTOTAL:

[3.00

225.00]

Total For Preceeding Billing Entries

3.00

\$225.00

"We Work For You"

Thomas Backiel

Invoice# 20994

Page 2

Amount

Total of Billing and Interest

\$975.00

EXHIBIT E

American Express International Inc.
 Corporate Services,
 61-63 South William Street,
 Dublin 2.



**Corporate
Services**

WYETH NEWBRIDGE
 NEWBRIDGE
 CO KILDARE ROI

COPY INVOICE

N°: 4118490
 Date: 31/01/2008
 Our Ref.: 63076
 Pages: 2

Passenger: SCHASCHL/ANDREW
 Dossier: 457103
 Customer: 01685111
 Ordered by: ANDREW SCHASCHL 3534543

Destination: NEWARK
 Passenger: SCHASCHL/ANDREW

Departure: 04/02/2008

Product: International Air ticket
 From: 04/02/2008
 Ticket No: 005 5267753307/1

Ref: EJRHFW
 Form of payment: AX XXXXXXXXXX1001
 Until: 08/02/2008
 Airline: CONTINENTAL AIR
 Number Amount
 1 2614 22 2614 22 EUR

Air Fare Savings: Used: C Normal: 3214 22 Lowest: 2614 22 Reason: L Saving: 600 00

04/02/2008 DUBLIN
 07/02/2008 NEWARK
 NEWARK
 DUBLIN

Supplier: HERTZ
 Product: International Car rental
 From: 04/02/2008 NEWARK
 Until: 07/02/2008 NEWARK
 Category: INTERMEDIATE, 2/4 DOOR, AUTOMATIC, AIR CON

Ref: EJRHFW
 Number of Days: 4

Number Amount
 4 0 00 0 00 EUR

Supplier: AMERICAN EXPRESS INTL INC
 Product: Fee Air International E-ticket

Ref: 457103

Number Amount
 1 42 43 42 43 EUR

Supplier: AMERICAN EXPRESS INTL INC
 Product: Fee Car Automated Booking

Ref: 457103

Number Amount
 1 21 55 21 55 EUR

American Express International Inc.
 Corporate Services,
 61-63 South William Street,
 Dublin 2.



**Corporate
Services**

Invoice N°: 4118490

Page: 2

Payment Condition: CARD PAYMENT

				Total Paid	2678 20 EU
					-2678 20 EU
				Balance	0 00 EU
Charged to card	AX	XXXXXXXXXXXX1001	Amount:	2614 22	EUR
Charged to card	AX	XXXXXXXXXXXX1001	Amount:	42 43	EUR
Charged to card	AX	XXXXXXXXXXXX1001	Amount:	21 55	EUR

Customer Information:

U1 : CO
 U2 : 1451900
 U3 : DUBEWR
 U4 : GDSGDS
 U5 : 2614 22

NEWARK LIBERTY AIRPORT

RR 576982615

#01

ANDREW
SCHASCHLVEHICLE: 01897/5552823
OWNER LIC: PA GBR1447
FUEL: 3/8 OUT 2/8 IN
COP: 547893 - WYETH EUROPARES: 091008360F0 / 100017 C
COMPLETED BY: 7456 / NJNEW11RENTED: NEWARK AIRPORT
RENTAL: 02/04/08 11:31
RETURN: 02/07/08 19:39PLAN IN: CRL RATE CLASS: C
PLAN OUT: CRLMILES IN: 2966 TR-X MILES
MILES OUT: 2585 MILES ALLOWED
MILES DRIVEN: 401 MILES CHARGED

DAYS	4 @ \$	66.00 / DAY	\$	264.00
SUBTOTAL			\$	264.00
CONCESSION FEE RECOVERY			\$	29.30
IDW	INCLUDED IN:	CRL	RATE	
LIS	DECLINED			
PAT, PEC	DECLINED			
PERCENT FEE				
TAX/VAT	4.0% ON	293.30	\$	23.20
NET DUE			\$	339.20
PAID BY	VISA	XXXXXXXXXXXX9652		

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- 3) Take Brief & Question Survey

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HERTZ

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DJ'S SHOKERISE
EXXON...

NLRN 4703641
 SHOKERISE EXX
 RAMSEY
 02/07/08 15:55
 ACCT2
 VISA XXXXXXXX9652 965
 INVS NEXT694
 AUTH# 043507
 PUMPS 2
 Regular 14.5816
 SELF
 PRICE/GAL 52.170
 FUEL TOTL 940.81
 TOTAL 13.1

1.1 1000.00
 2.1 1000.00

Your Transactions

Transactions on Credit Card (EUR) since your last statement.

Date	Details	Amount
07 FEB 2008	CHILI'S GRI71700007179 NANUET US 28.78USD	20.02 RATE 1.4376
11 FEB 2008	EXXONMOBIL 47036413 RAMSEY US 40.81USD	28.66 RATE 1.4239
11 FEB 2008	HERTZ RENT-A-CAR NEWARK US 339.20USD	238.22 RATE 1.4239
11 FEB 2008	THE RITZ-CARLTON WESTCHSTWESTCHESTER US 322.90USD	226.77 RATE 1.4239
11 FEB 2008	DUBLIN AIRPORT AUTHORITY SHANNON IE	47.50
18 FEB 2008	DIRECT DEBIT PAYMENT. THANK YOU.	-129.07

Previous Balance	Cash Advances	Purchases	Credits/Payments	Current Balance	Credit Available
129.07	0.00	606.40	129.07	606.40	4393.60



Mr. Andrew Schaschl
666 5th Ave
New York, NY 101030001
United States

Room Number: 0732
Arrival Date: 02/06/08
Departure Date: 02/07/08
CRS Number: 82146912
Page No: 1 of 1

INFORMATION INVOICE

Folio No:

02/07/08

Date	Description	Charges	Credits
02/06/08	Overnight Parking	25.00	
02/06/08	Room Charge	249.00	
02/06/08	Occupancy Tax	7.47	
02/06/08	NY Sales Tax	19.61	
02/07/08	In Room Dining	21.82	
#732 : CHECK #2088			
Total		322.90	0.00
Balance		322.90	

EXHIBIT F



U.S. BANK
P.O. Box 6343
Fargo, ND 58125-6343

58663R23

ACCOUNT NUMBER

AMOUNT DUE

2



ANDREW S ESPEJO
401 N MIDDLETOWN RD
PEARL RIVER NY 10965-1215

AMOUNT ENCLOSED

\$

Please make check payable to:
CORPORATE PAYMENT SYSTEMS



CORPORATE PAYMENT SYSTEMS
P.O. BOX 790428
ST. LOUIS, MO 63179-0428

PLEASE MAKE ANY ADDRESS CHANGES
ON THE BACK OF THE CHECK OR PAYMENT
OR BY PHONE CALLING 1-800-344-5696

MESSAGES:

TRAN DATE	POST DATE	MCC CODE	TRANSACTION DESCRIPTION	REFERENCE #	AMOUNT
02-08	02-11	5812	ALLENDA MEXICAN RESTAURANT GOSHEN NY	24431628041000000000000000000000	71.00
02-09	02-11	5812	CASSARINOS PROVIDENCE RI	24013398041000000000000000000000	86.28
02-09	02-11	5542	84 QUIK STOP Q39 NEW HAMPTON NY	24619438041000000000000000000000	28.00
02-11	02-13	3357	HERTZ RENT-A-CAR NEWBURGH NY	24275308041000000000000000000000	543.82
02-11	02-13	3509	MARRIOTT 337ES NEWARK ARP NEWARK NJ	24610438041000000000000000000000	84.62
02-13	02-14	3509	MARRIOTT 337ES NEWARK NEWARK NJ	24610438041000000000000000000000	286.92
01-30	02-01	2003	US AIRWAYS C377108000045 PHOENIX AZ	24732628031000000000000000000000	417.30
02-08	02-11	3087	CONTINENTAL 0057110111206 PHOENIX AZ	24792678040246900014711	237.02

CUSTOMER SERVICE CALL 1-800-344-5696	ACCOUNT NUMBER		ACCOUNT SUMMARY	
	[REDACTED]		PREVIOUS BALANCE \$0.00	
TO ENSURE PROPER CREDIT PLEASE RETURN UPPER PORTION WITH PAYMENT SEND PAYMENTS TO: CORPORATE PAYMENT SYSTEMS P.O. BOX 790428 ST. LOUIS, MO 63179-0428	PLEASE MAIL BY	STATEMENT DATE	PAYMENTS \$0.00	
	03/17/08	02/25/08	PURCHASES & OTHER CHARGES [REDACTED]	
SEND BILLING INQUIRIES TO: CORPORATE PAYMENT SYSTEMS P.O. BOX 6344 FARGO, ND 58125-6344			CASH ADVANCES \$0.00	
			DISPUTE AMOUNT \$0.00	
				CREDITS \$0.00
				LATE PAYMENT CHARGES \$0.00
				CASH ADVANCE FEES \$0.00
				NEW BALANCE [REDACTED]

HOTELS & RESORTS
HOTELS & RESORTS

GUEST FOLIO

NEWARK AIRPORT MARRIOTT

GUEST FOLIO

856 ESPEJO/ANDREW

ROOM NAME

02/12/08 12:00 13901

DDBS

RATE

DEPART

TIME

ACCT#

TYPE

02/11/08 18:43

ARRIVE

TIME

16

PASSPORT:

ROOM
CLERKRoom
Clerk

ADDRESS

PAYMENT
Payment

MR#:

DATE	REFERENCE	CHARGES	CREDITS	BALANCE DUE
02/11	VALETPRK	X3079910		
02/11	ROOM	856, 1	27.00	
02/11	STATE TX	856, 1	228.00	
02/11	CITY OCC	856, 1	15.96	
02/11	ST OCCUP	856, 1	13.68	
02/12	BK CARD	856, 1	2.28	

\$286.92

TO BE SETTLED TO: VISA

CURRENT BALANCE .00

THANK YOU FOR CHOOSING MARRIOTT! TO EXPEDITE YOUR CHECK-OUT,
PLEASE CALL THE FRONT DESK, OR PRESS "MENU" ON YOUR
TV REMOTE CONTROL TO ACCESS VIDEO CHECK-OUT.

WANT YOUR FINAL HOTEL BILL BY EMAIL? JUST ASK THE FRONT DESK!
SEE "INTERNET PRIVACY STATEMENT" ON MARRIOTT.COM



NEWARK AIRPORT MARRIOTT
NEWARK INTERNATIONAL
NEWARK :. NJ 07114

This statement is your only receipt. You have agreed to pay in cash or by personal check or to authorize us to charge your credit card for all amounts shown on this statement. The amount shown in the credit column opposite and below card name is the amount you have authorized us to charge your credit card for all amounts shown on this statement. The amount shown in the debit column opposite and below card name is the amount you have authorized us to charge your credit card for all amounts shown on this statement. If you are direct billed, in the event payment is not made within 20 days after check-out, you will owe us interest from the check-out date on any unpaid amount at the rate of 1.5% per month (ANNUAL RATE 18%), or the maximum allowed by law, plus the reasonable cost of collection, including attorney fees.

7 2955 Rev. 09/07

To secure your next stay, go to Marriott.com.

WELCOME
 84 QUICK STOP
 RTE. 17M NY
 02215541048-01
 84 QUICK STOP
 5284 ROUTE 17M
 NEW HAMPTON NY
 02215541048-01
 DATE 02/09/08 07:56
 TIME # 02
 PRODUCT UNLD
 GALLONS 8.808
 PRICE/G: \$3.179
 TOTAL SALE \$28.00
 APPROVAL # 559012

THANK YOU
 HAVE A NICE DAY
 PLEASE COME AGAIN

SBARRO
 * PHILADELPHIA AIRPORT III *
 TERMINAL F
 PHILADELPHIA Airport, PA
 215-365-3622

Host: MST 02/07/2008
 2269 7:48 PM
 20270
 PN-Veggie Slice 4.29
 Btl Water 2.19
 Subtotal 6.48
 Tax 0.30
 Eat In Total 6.78
 Cash 7.00
 Change 0.22

Celebrating Fifty Years
 Over 1000 Locations
 World's #1 Italian
 Quick Service Restaurant

--- Check Closed ---

SUBTOTAL: 70.62
 GRATUITY \$
 TOTAL \$ 84.62
 SIGNATURE

Please leave signed copy
 with your server

CHECK: 3392
 TABLE: 91/1
 SERVER: 305 EDWIN
 DATE: 11FEB'08 8:11PM
 CARD TYPE: VISA/MASTERCARD
 ACCT #: XXXXXXXXXXXXX5565
 EXP DATE: XX/XX
 AUTH CODE: 016481
 ANDREW S ESPEJO

NEWARK LIBERTY AIRPORT MARRIOTT
 ***** CREDIT CARD VOUCHER *****
 & & 403 & &
 NEWARK, NJ

Coll. #01111 LANE 042
02/11/08 06:35:14am
PLAZA TAPPAHANNOK
CLASS 21-0 CASH 1.00

Coll. #03134 LANE 043
02/11/08 07:17:33am
PLAZA TAPPAHANNOK
CLASS 21-0 CASH 1.50

Coll. #03134 LANE 043
02/08/08 10:21:40am
PLAZA TAPPAHANNOK
CLASS 21-0 CASH 1.50

Coll. #04633 LANE 100
02/03/08 05:51:26am
PLAZA TAPPAHANNOK
CLASS 21-0 CASH 1.00

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DECLARATION OF SERVICE

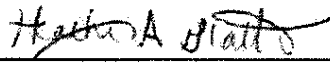
I, Heather A. Glatter, hereby declare that I am over eighteen years of age, not a party to this action; and I am employed by Orrick, Herrington & Sutcliffe LLP, 666 Fifth Avenue, New York, New York 10103.

On March 24, 2008, I caused to be served by first class mail and email on counsel for Plaintiff a true and correct copy of the foregoing DEFENDANTS' NOTICE OF TAXATION OF COSTS, BILL OF COSTS, and DECLARATION OF JAMES H. McQUADE IN SUPPORT OF BILL OF COSTS addressed as follows:

The Law Office of Steven A. Morelli
One Old Country Road, Suite 347
Carle Place, NY 11514

Executed on March 24, 2008 at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.



Heather A. Glatter